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ABSTRACT

This booklet contains complete information on the NAFSA Ethics Program developed by NAFSA: the Association of International Educators. It includes the NAFSA Code of Ethics, the Principles of International Educational Exchange, and details of procedures for ethics-related complaints. The Association of International Educators promotes the exchange of students and scholars to and from the United States. An introduction describes the special features of international education work, and the organization and efforts of the Association. The Code of Ethics, approved in 1989, offers general guidelines for ethical conduct applicable to all Association members and details principles pertaining to many of their activities. The formal text of the Code is supplemented with commentary and practical suggestions in the margins. The Principles for International Educational Exchange establish institution-wide standards and address admission of foreign students, English programs and determination of English proficiency, services to foreign students and scholars, provision of community services and programs, and study abroad by American students. The final section presents procedures for handling complaints including reporting, the role of Association staff, Code interpretation by the Committee on Ethical Practice, investigation, communication with parties, consultation, hearings, sanctions, and appeals. (JB)

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The NAFSA Ethics Program

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PUBLIC TRUST

Students and scholars have a right to expect that the people who advise them about international education will be competent and truthful, and that the students' own best interests will be taken into account as decisions are made that affect their education and their lives. They also have a right to expect that the educational institutions and programs in which they enroll will meet basic standards in providing services in international education and exchange.

AN ETHICS PROGRAM FOR INTERNATIONAL EDUCATION

Since its inception in 1948, NAFSA: Association of International Educators has been engaged in setting standards and encouraging ethical conduct among individuals, institutions, and organizations active in the field of international educational exchange.

IN THIS BOOKLET ...

You will find complete information on the NAFSA Ethics Program, along with the NAFSA Code of Ethics (1992), the Principles for International Educational Exchange (1981), and details on NAFSA's procedures for handling ethics-related complaints. NAFSA's Committee on Ethical Practice welcomes your comments and questions.

THE NAFSA ETHICS PROGRAM

Like any professional group, *international educators* have a code of ethics that protects both their clientele and the good name of their profession. But, unlike other professional groups, their work involves several distinctive features:

- International educators operate across national and cultural boundaries, dealing with widely different levels of expectations about education and ethical behavior.
- International educators serve a clientele that is especially vulnerable. Students—with high hopes for bright futures—must surmount barriers of information, cost, language, and culture in pursuing educational opportunities outside their own countries.
- International educators often manage within complex institutional environments in which international programs and services may not be fully coordinated.

WHO ARE INTERNATIONAL EDUCATORS?

International educators can be found on and around college campuses working as foreign student advisers and admissions officers, study abroad advisers and administrators, directors of international programs, administrators of English-as-a-second-language programs, community programmers, and administrators of sponsored exchange programs. In increasing numbers, health services personnel, financial aid officers, campus housing administrators, career planning specialists, and others are joining the ranks as campuses internationalize and integrate their international programs and services into campus life. NAFSA is the professional organization of international educators.

- International educators are instantly affected by global issues and trends, from demographics and economics to communication technologies and political unrest.

The mission of NAFSA: Association of International Educators is to promote the exchange of students and scholars to and from the United States. The Association sets and upholds standards of good practice, and provides professional education and training that strengthen institutional programs and services related to international educational exchange. NAFSA provides a forum for discussion of issues and a network for sharing information as it seeks to increase awareness and support for international education in higher education, in government, and in the community.

NAFSA's members share a belief that international educational exchange advances learning and scholarship, builds respect among different peoples, and encourages constructive leadership in a global community.

NAFSA's Board of Directors approved a Code of Ethics for NAFSA members in 1989, following a two-year process of developing the code and building consensus about its provisions. In 1991, the Board established an Ethics Program with the following elements:

- a standing Committee on Ethical Practice (approved by a vote of the membership in January 1992);
- the Code of Ethics and Principles for International Educational Exchange;
- a strong emphasis on ethics awareness and educational programming; and
- procedures for handling ethics-related complaints (Standing Rule XI, adopted in October 1992).

Committee on Ethical Practice

The Committee on Ethical Practice is charged with encouraging the highest standards of ethical behavior within the profession of international educational exchange. The Committee bases its activity on the NAFSA Code of Ethics and the NAFSA Principles for International Educational Exchange. Committee members are appointed on the basis of their expertise in one or more of the professional aspects of international education and serve terms of four years.

The Committee views its role as largely educational. To fulfill its charge, the Committee develops and implements ongoing ethics education programs for new and continuing members of the association, as well as interested nonmembers who are engaged in international educational exchange. Committee members encourage and participate in regional and national conference sessions, develop case studies and other training materials, and respond to informal inquiries and requests for assistance. Upon request, the Committee also renders advisory opinions about the Code and its provisions. Since the Code is a working document, the Committee reviews it annually, and recommends changes as needed to the Board of Directors. Finally, the Committee investigates allegations that members have violated the code; and, when necessary, applies sanctions in accordance with published procedures (NAFSA Standing Rule XI).

The Code of Ethics, Principles for International Educational Exchange, and Standing Rule XI on Procedures for Handling Ethics-Related Complaints follow.

Members of the Committee on Ethical Practice

Chair
Robert Mashburn (1996)
1518 Kingman Place, NW
Washington, DC 20005

Members
Edward Devlin, Monterey Peninsula College (1996)
David E. Eskey, American Language Institute, University of Southern California (1995)
Linda Heaney, Linden Educational Services (1995)
Peter Levitov, University of Nebraska-Lincoln (1998)
Nell Magee, Baptist Convention of New England (1997)
Amy Mook, Minnetonka High School (1995)
Mona Rizk-Finne, Texas A&M University (1997)

Code of Ethics

Institutional and individual members of NAFSA: Association of International Educators are dedicated to providing high quality education and services to participants in international educational exchange. They represent a wide variety of institutions, disciplines, and services. A code of ethics which proposes to set standards for the professional preparation and conduct of all NAFSA members must accommodate this diversity. This document sets forth a number of general guidelines for ethical conduct applicable to all NAFSA members and then details principles pertaining to many of the various activities members undertake.

Whether paid or unpaid for their work in international educational exchange, all NAFSA members are expected to uphold professional standards.

International educators operate in complex environments, with many legitimate and sometimes competing interests to satisfy. Ultimately, their allegiance must be to the long-term health of international educational exchange programs and participants.

Sorting through ethical dilemmas is often best done with help from others, either one's superiors in the organization or experts in one's subject-matter area.

1. NAFSA Members Have a Responsibility to:

a. Maintain high standards of professional conduct.

b. Balance the wants, needs, and requirements of program participants, institutional policies, laws, and sponsors, having as their ultimate concern the long-term well-being of international educational exchange programs and participants.

c. Resist pressures (personal, social, organizational, financial, and political) to use their influence inappropriately. Refuse to allow considerations of self-aggrandizement or personal gain to influence their professional judgments.

d. Seek appropriate guidance and direction when faced with ethical dilemmas. Make every effort to ensure that their services are offered only to individuals and organizations with a legitimate claim on those services.

2. In Their Professional Preparation and Development, Members Shall:

a. Accurately represent their areas of competence, education, training, and experience.

b. Recognize the limits of their expertise and confine themselves to the performance of duties for which they are properly trained and qualified, making

referrals when situations are outside their area of competence.

Since they work in an area affected by rapid social, political and economic changes, members must make constant efforts to keep current in order to be professionally competent.

c. Be informed of current developments in their fields, and ensure their continuing development and competence.

d. Stay abreast of developments in laws and regulations that affect their clients.

e. Actively uphold the Association's code of ethics when practices that contravene it become evident.

3. In Relationships with Students and Scholars, Members Shall:

a. Understand and protect the civil and human rights of all individuals. Not discriminate with regard to race, national origin, color, gender, religion, sexual orientation, age, political opinion, immigration status, or disability.

One of the most challenging aspects of work in the field of educational exchange is balancing among the dictates of various cultures and value systems. Members need to be well aware of the influence that culture has had on their own values and habits, and on the interpretations and judgments they make of the thoughts and habits of others.

b. Recognize their own cultural and value orientations and be aware of how those orientations affect their interactions with people from other cultures.

c. Demonstrate awareness of, sensitivity to and respect for other educational systems, values and cultures .

d Not exploit, threaten, coerce, or sexually harass students or scholars.

e. Refrain from invoking immigration regulations in order to intimidate students or scholars in matters not related to their immigration status.

While enjoying interpersonal dealings with people from other cultures, members need to avoid situations in which their judgments may be or appear to be clouded as a result of personal relationships—either positive or negatives ones—with particular exchange participants.

f. Maintain the confidentiality, integrity, and security of student records and of all communications with students. Secure permission of the student or scholar before sharing information with others inside or outside the organization, unless disclosure is authorized by law or institutional policy, or mandated by previous arrangement.

g. Refrain from becoming involved in personal relationships with particular students and scholars when such

relationships might result in either the appearance or the fact of undue influence being exercised on the making of professional judgments.

h. Respond to inquiries fairly, equitably, and professionally.

i. Seek qualified assistance for students or scholars who appear to be experiencing unusual levels of emotional difficulty.

Although a categorical ban on accepting gifts would be inappropriate for members who work with individuals representing cultures where the giving of gifts is important, members need to exercise caution in accepting gifts that might be intended to influence them as they carry out their duties.

j. Accept only those gifts which are of nominal value and which do not seem intended to influence the manner in which professional responsibilities are exercised, while remaining sensitive to the varying significance and implications of gifts in different cultures.

k. Assure the provision of information and support services needed to facilitate participants' adaptation to a new educational and cultural environment.

4. In Professional Relationships, Members Shall:

Being tolerant and respectful of differences in behavior and values among culturally similar others is often more difficult than being tolerant of those differences when they are manifested by people from other cultures. Nevertheless, members should make every effort to show their same-culture colleagues the respect they show their different-culture clients.

a. Show respect for the diversity of viewpoints found among colleagues, just as they show respect for the diversity of viewpoints among their clients.

b. Refrain from unjustified or unseemly criticism of fellow members, other programs, and other organizations.

c. Use their office, title, and professional associations only for the conduct of official business.

Just as they have duties to their clients, members have duties to their professional colleagues. When members accept responsibilities through the Association, they should carry them out with dispatch.

d. Make certain when participating in joint activities that collaborators receive due credit for their contributions.

e. Carry out, in a timely and professional manner, any Association responsibilities they agree to accept.

In the press of daily business, it is often tempting to overlook the long-term need for professional development. Members need to remain cognizant of the need for continuing professional development.

5. When Administering Programs, Members Shall:

a. Clearly and accurately represent the goals, capabilities, and costs of the programs.

b. Recruit individuals who are qualified to offer the instruction or services promised, train and supervise them responsibly, and assure by means of regular evaluation that they are performing acceptably and that the overall program is meeting its professed goals.

c. Strive to establish standards, activities, and fee structures which are appropriate and responsive to participant needs.

d. Encourage and support participation in professional development activities.

6. In Making Public Statements, Members Shall:

a. Clearly distinguish, in both written and oral public statements, between personal opinions and opinions representing the Association, their own institutions, or other organizations.

b. Provide accurate, complete, current, and unbiased information.

7. Members with Admissions Responsibilities Shall:

a. Consider the welfare of both potential and actual applicants as their primary responsibility.

Many colleges and universities concerned with ethical recruitment limit their representation abroad to staff and/or carefully selected and briefed alumni.

b. Adhere to the following guidelines for the ethical recruitment of foreign students:

(1) Provide enough candid and pertinent information that a foreign student unfamiliar with United States practices in higher education may make informed academic judgments.

(2) Develop an admissions policy for foreign students which requires that admissions judgments be made by

NAFSA members entering into formal or informal contractual relationships for purposes of international student recruitment would be well advised to:

1) be prudent in evaluating agents prior to contracting by soliciting information from students, other clients of the agent and other sources as available;

2) obtain written confirmation that the agent is aware of the NAFSA code of ethics and subscribes to the standards it contains;

3) monitor the performance of their agents in light of these standards;

4) terminate agent relationships when it becomes evident that there is a pattern of substandard practice.

institutional personnel who rule on other admissions, is based on a system of written criteria, and is applied in competition with other applicants.

(3) Seek a match between the needs and aspirations of the prospective student and the educational opportunities the institution affords.

(4) Accept the commitment to provide effective educational opportunity for foreign students and establish appropriate institutional policies governing foreign student recruitment, admissions, support activities, specialized programs and curricula.

(5) Provide realistic estimates of costs for tuition, educational expenses, subsistence and related fees and of the extent to which financial aid or scholarships are available to foreign students.

(6) Restrict evaluation of foreign academic records to personnel who are trained and competent in interpretation of foreign educational records.

(7) State clearly to students admitted to English language programs the extent of commitment made for their further education in the United States.

(8) Contract only with individuals or organizations whose practice conforms to the NAFSA Code of Ethics.

c. Make certain they are well versed in the art of evaluating educational credentials from abroad, employing a thorough knowledge of foreign educational systems.

d. Provide complete, accurate, and current information about their institutions' admissions criteria, educational costs, financial support opportunities, academic programs, and student services, in order to give students who are unfamiliar with local educational practices the basis for an informed choice. Encourage prospective students to make realistic assessments of their prospects for achieving their educational objectives at the member's particular institution.

Irrelevant criteria, such as an applicant's immigration status, should not be applied in making admission decisions.

Members with admission responsibilities sometimes come under pressure to admit applicants whose qualifications do not appear to prepare them for success. Those pressures ought to be resisted.

e. Employ only criteria relevant to a candidate's academic potential, level of language proficiency, educationally relevant special abilities and characteristics, and availability of financial support, in determining admissibility.

f. Resist pressure from institutional officers to admit unqualified applicants.

8. Members with Responsibility for Teaching English as a Second Language Shall:

Members making English-language placement recommendations ought to base them on evidence of the applicant's linguistic proficiency, not on assumptions based on the applicant's national origin or other irrelevant factors.

a. Employ fair and accurate English proficiency tests in admissions and placement, and then use the test results in the student's best interest, evaluating students based on their individual merits and accomplishments.

b. Use up-to-date methods and materials appropriate to the needs of the specific populations and individuals being instructed.

c. Assure that the instruction they offer concerns not just the linguistic aspects of English, but also cultural aspects, the understanding of which will aid students in achieving their academic goals.

9. Members Who Advise Foreign Students and Scholars Shall:

a. Clarify the adviser's role to all parties and limit advice to matters within that mandate, making appropriate referrals when necessary.

Members should keep in mind that policies on the confidentiality of information apply to law-enforcement organizations as much as they do to any other type of organization.

b. Fully inform students, at appropriate times, of the types of information the institution is required to furnish to governmental agencies, and furnish those agencies with only that information required by law and regulation.

c. Decline to reveal confidential information about foreign students and scholars even if requests for such information

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Members ought not seek to influence their advisees' decisions by withholding information that might help the advisees thoroughly consider alternatives open to them.

come from law enforcement agencies or organizations appearing to have thoroughly benevolent motives.

d. Assist students and scholars in making prudent decisions, not withholding information that might widen their range of choices and not encouraging illegal actions.

10. Members with Responsibilities in Community Organizations Working with Foreign Students and Scholars Shall:

People who are visiting another country may have no reliable way of knowing about the goals of organizations seeking their participation or affiliation. To assist these visitors, organizations have a responsibility to make their objectives clear.

a. Make certain that organizations providing programs for foreign students and scholars have clear statements of purpose and responsibility, so that all parties can know what is expected of them.

b. Accurately portray their services and programs, making clear the identity, the intent, and the nature of the sponsoring organization and of each particular event or service.

In their efforts to attract an adequate number of domestic participants in such activities as spouse and host family programs, members ought to resist pressures to accept as participants individuals whose motives are less than benevolent.

c. Provide appropriate opportunities to observe and to join in mutual inquiry into cultural differences.

d. Provide adequate orientation for volunteers and participants in community programs so they may understand each other and may interact constructively. The organization should make clear that surreptitious, deceptive or coercive proselytizing is unacceptable.

11. Members with Responsibilities in Students Abroad Shall:

Members in the study-abroad area sometimes face pressures to meet enrollment goals by accepting or encouraging the participation of students whose potential for benefitting from the program seems limited. These pressures should be resisted.

a. Provide complete and accurate information to students they advise, in order for students to make informed choices. Seek to ensure that students select overseas opportunities that seem suitable in terms of academic content, location, language preparation, emotional maturity, and cultural variation.

With the plethora of study-abroad programs available, members need to remain mindful that their clients rely upon them for judgments about program quality.

b. Ensure that any promotional materials they make available concern well-documented programs with reputable sponsors.

c. Assure appropriate educational guidance of students bound abroad through orientation and reentry programs and materials.

Original text approved by the NAFSA Board of Directors on May 28, 1989. Revisions approved by the NAFSA Board of Directors on October 5, 1992.

Principles for International Educational Exchange

In early 1980 the National Association for Foreign Student Affairs convened a Task Force on Standards and Responsibilities to address the growing concern that NAFSA and its institutional and individual members had not been active enough in the establishment of useful, recognized standards or principles of effective practice for those involved in the many aspects of international educational interchange. The result of their deliberations was a program of self-regulation drawing on the experience and leadership of the Association and its members, and involving faculty members, administrators, and others on college campuses who are affiliated with foreign students and scholars. The Principles for International Educational Exchange *are part of this program, which was approved by NAFSA's Board of Directors in May 1981.*

Principles for Institutions

The movement of students and scholars across community, cultural, geographic, and national boundaries has been recognized for centuries as essential to the discovery of truth, new knowledge, and the means of applying what is learned abroad to human enrichment and progress. In the second half of this century the interchange of students and scholars has grown steadily, become more formalized and [exerted] an increasing influence upon U.S. higher education and the society as a whole. Indeed, the significance of the interdependence of nations, peoples, and world systems has brought international education into the very mainstream of higher education planning and requirements.

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Programs of international educational exchange take many forms and are located in institutions of divergent purposes, sizes, and settings. Regardless of form and content the value of any program can be realized only when a college or university has made a conscious decision to be involved in international educational exchange and has made a commitment of resources commensurate with the nature and scope

of that exchange. Such recognition and commitment require adherence to the following institution-wide principles:

1. The institution should have a clearly stated policy, endorsed by the governing board, setting forth the goals and objectives of the international educational exchange program or programs developed by the institution. This policy should be manifest in the institution's planning and budgeting. Personnel and program resources—administrative and academic—should be sufficient to assure that the program can be operated in ways consistent with the principles presented in this document.

2. The executive staff of the institution should discuss with the faculty and administrative staff the implications of the international educational exchange policy for the academic programs and academic staff.

3. Programs in international educational exchange should be closely related to and consistent with the basic purposes and strengths of the institution.

4. Regardless of program size, the institution should acknowledge its responsibility to demonstrate sensitivity to cultural needs—social, religious, dietary, and housing. These factors must be accounted for in the planning and execution of the program.

5. Special services required by involvement in international educational exchange should be performed by personnel who are trained for their particular responsibilities, and institutional policy should ensure that faculty and administrative staff receive appropriate training for the activities they manage.

6. Administrative staff and faculty should seek to develop and maintain respect and sensitivity toward those from different cultures in the execution of their responsibilities for international educational exchange programs.

7. The institution should periodically evaluate programs, policies, and services, in light of established goals, and regularly review those goals.

Principles for the Admission of Foreign Students

Foreign citizens have usually been educated in school systems that vary from those in the United States. As a result, students from other countries are often unfamiliar with U.S. procedures and terminology. Institutions that admit foreign students must develop a sensitive and flexible admissions policy that reflects an awareness of different academic backgrounds and personal expectations.

To assist institutions in establishing a sound admissions policy and an effective admissions system, criteria for ethical recruitment were developed at a Wingspread colloquium in March 1980. These criteria, known as the "Wingspread Principles," are presented in Foreign Student Recruitment: Realities and Recommendations, and are incorporated in the following principles:

1. The admissions goals and policies for foreign students should be related directly to overall institutional goals and policies and include:

- The academic characteristics of students to whom admission is offered.
- The level—graduate or undergraduate—of students sought.
- Geographical areas to be emphasized or discouraged.
- The number of students desired (as a proportion of the student body).
- The extent to which the institution will make financial resources available to foreign students.

2. Admissions materials should be thorough, complete, and clearly written; they should be sensitive to candidates' unfamiliarity with U.S. education and lack of facility in the English language.

Care should be taken to include:

- Detailed information about the admissions requirements and procedures.
- Candid, pertinent, and current information so that students unfamiliar with U.S. higher education may make informed academic judgments.
- Realistic information about full costs of study and living expenses, as well as the availability of financial aid.
- English-language requirements and, if admitted initially for an English-language training program, the degree of commitment the institution accepts for subsequent education of the student in another of its academic programs.
- Specific information about requirements of academic programs.
- Complete information regarding the conditions of admissions and acceptance, deposits, orientation, and all steps to be followed prior to arrival.

3. Recruitment of foreign students for both academic and English-language training programs must be conducted in an ethical, responsible manner.

The student's educational goals must be ascertained and a responsible judgment made about whether they can be achieved at the accepting institution.

Admissions decisions should be made using complete files including academic documents, English proficiency reports, and other supporting materials.

Admissions responsibilities, including issuance of the visa eligibility certificate, should never be delegated to third parties outside the institution.

Applicants to an English-language training program must be given full information about the extent of the institution's commitment to admit such applicants subsequently to another of its academic programs or provide assistance in obtaining admission to another institution.

4. The foreign admissions process should be conducted by personnel who are trained and competent in the interpretation of foreign educational records. These duties may be conducted on a full- or part-time basis as required by the size of the effort.

At the undergraduate level, foreign student admissions—usually a highly centralized process—should be enhanced by faculty advice.

In foreign graduate admissions, where deans' offices and faculty committees often play an important role, the advice and recommendations of admissions staff should be carefully considered in the decision process. The important contribution each individual can bring to the admissions decision should be recognized.

Special reference resources should be acquired and new materials acquired as they become available.

Admissions personnel should call on the expertise of individuals on the campus, elsewhere, or abroad who can assist in providing sound evaluations.

5. The functions of the admissions office should be coordinated with those units responsible for English-language training, academic programs, and student advising services, and there should be regular contact and sharing of information among those responsible for these functions.

6. The institution's foreign student program should be studied periodically in order to formulate any needed adjustments to admissions criteria, procedures, and processes:

Entering characteristics should be correlated periodically with student retention and other measures of performance.

Students should be queried periodically about reactions to admissions materials and procedures.

Other campus offices as well as cooperating agencies should be queried about the effectiveness of the admissions materials and procedures.

Principles for English Programs and Determination of English Proficiency

An extremely important factor in determining whether the presence of foreign students at a college or university will be a mutually beneficial experience for the students and the institution is the students' ability to use the English language. A student who cannot communicate adequately with faculty, staff, or fellow students will encounter significant difficulties in carrying out even limited daily activities. Moreover, serious deficiencies in English will hamper a student in pursuing an academic program at any level. For those students serving as graduate teaching assistants, the ability to speak English effectively in a classroom is especially critical.

For these reasons, an institution must carefully evaluate the English proficiency (overall ability to use the language) of prospective students when they are being considered for admission. In evaluating English proficiency, both level and field of study should be considered, since the most critical question to be answered is how well the student will be able to cope with a specific program at a given institution. Students whose English proficiency seems adequate for a regular academic program often need an English support course or courses in order to function more efficiently in the classroom or to meet an institutional English requirement. Institutions that maintain a policy of admitting foreign students who are qualified academically but who have limited or minimal skills in English must provide half-time or full-time (intensive) programs in English as a second language or refer students to English training programs where they can receive adequate instruction.

In an effort to establish guidelines by which institutions can evaluate their own or other English programs, NAFSA supports the following principles. These standards apply first to the question of determining English language proficiency and then to the training programs themselves. Except where specifically noted, these principles are meant to apply both to academic institutions and to private, proprietary organizations that offer English training programs.

Determining English Proficiency

The procedures and criteria established for determining English proficiency should be clearly defined. While these procedures should be

uniform and comprehensive, they must take into consideration differences presented by at least three common situations:

- For students being admitted directly from overseas, English proficiency should be determined on the basis of results from widely accepted tests designed for this purpose.
- For students who have enrolled in intensive English-language programs conducted by the institution to which they are applying, additional information should be sought regarding the students' overall use of English, specific strengths and weaknesses, and motivation for continued improvement. In this regard there should be close communication between the admissions office and the English language program.
- For students who have been enrolled in intensive English-language programs at other institutions or at private language schools, similar information indicating level of English-language proficiency should be sought. Admissions personnel should seek the assistance of any specialists in English as a second language at their institutions for guidance in interpreting such information.

Institutions should periodically assess their capacity to successfully determine English proficiency of prospective foreign students in light of the students' performance in subsequent academic programs.

English Support Courses

Students with sufficient command of English to begin regular academic work at a college or university frequently require additional training to prepare them for tasks encountered during their program of studies. This training is best provided through English support courses taken in conjunction with regular academic courses in the students' fields. These English courses should address the special needs of students whose native language is not English. They typically range from courses which are the equivalent of freshman English to advanced courses in technical English for graduate students.

After admission, the institution should employ effective procedures to identify those students who require some specialized training in English in light of the specific course of studies to be pursued. Special care should be taken to provide training in oral English skills for foreign graduate students assigned as teaching assistants.

Support courses should be designed and taught by individuals with training in the teaching of English as a second language.

Intensive English Programs

The purpose of an intensive English program is to develop and strengthen the English skills of persons whose native language is not

English, usually in preparation for pursuing an academic program at the graduate or undergraduate level. Such individuals generally do not have sufficient command of English to begin regular academic work at a college or university. Some programs administered by colleges and universities enroll only students who have received academic admission to the institution but require short-term training, often in the summer. Most programs at academic institutions maintain year-round schedules and enroll people at varying levels of proficiency who intend to enter degree programs at the same or other institutions. Finally, a large number of programs are administered by private organizations. These latter programs, often housed at academic institutions, enroll students who must all continue their academic studies elsewhere. Based on experience from many established programs, it is not unrealistic to expect students who begin at the lowest levels to require a full calendar year to reach levels of proficiency sufficient to begin academic work.

Intensive English programs should establish clear goals and objectives for the training they provide. In the most general terms, these goals would be to provide sufficient and appropriate training to enable students to meet test score requirements established by the institutions they plan to attend.

In order to achieve these goals, intensive English programs should receive adequate support from their sponsoring institutions. Although no single administrative pattern is required, intensive programs should be sufficiently independent to permit the smooth functioning of all activities and units.

The director and core faculty of an intensive English program should have principal commitments to the program. The director should have advanced academic training in the teaching of English as a second language and have teaching and administrative experience, if possible, including overseas experience. Part-time instructors, especially if they are graduate students in a university program, should be taking or have taken graduate work in the teaching of English as a second language.

To ensure that students will be adequately prepared for an academic program, the syllabus of an intensive English program should include training in a variety of skills. The most basic are listening (understanding spoken English) and reading (understanding written English). Also of importance for academic work are speaking (in both formal and informal settings) and writing (primarily expository writing needed in most fields of study).

Principles for Foreign Student and Scholar Services

An institution that enrolls foreign students or invites foreign scholars should recognize that individuals from different cultures and educational systems have special needs for advice and assistance. These needs must be met by services that are organized, directed, and funded by the host institution. The scope and level of such services is to some extent dependent on the number of foreign students and scholars. Regardless of their number, however, the presence of foreign students and scholars requires certain basic levels of support which enable them to function successfully in U.S. colleges or universities. The following principles concern the provision of these essential services:

1. The host institution should state clearly its intentions to provide special services for the foreign students and scholars it brings to its campus. These services should include:

- Advisory and counseling services.
- Mandated and technical services in compliance with U.S. government regulations.
- Coordination and liaison with the community.

2. Regardless of the number of foreign students and scholars, the level of funding, or other circumstances, there must be one unit in the host institution that is responsible for coordinating these services, and there should be clear and widely acknowledged designation of responsibility for these services.

These duties may require full- or part-time staff, depending upon the size of the clientele. Where possible, it is highly desirable to have a single individual or office designated to provide these advisory services.

The staff should be knowledgeable about U.S. immigration law and regulations.

3. The institution should provide ample professional services which are fully accessible to foreign students and scholars. The intention of these services is to assure that maximum benefit is derived from the educational experience. The advisory services must seek to remove impediments and to solve problems on behalf of these individuals.

The advisory staff must work closely with other campus and community resources which can be of assistance before arrival and throughout the individual's stay.

An orientation program that introduces students to the physical environment, registration procedures, academic policies, housing, counseling and health services, visa requirements and INS regulations,

financial matters, and social and intercultural activities should be provided.

Advisory services should be provided on an ongoing basis with respect to personal counseling, emergency needs, institutional policies preparation for departure, and reentry to home countries upon completion of stay.

The advisory staff serve both the institution and the students and scholars it enrolls; they should, therefore, perform an intermediary role and be a channel of communication between those individuals and outside agencies or institutions.

The advisory staff should seek to bring an intercultural dimension to the educational programs of the institution and the general life of the community.

Advisory services should include academic advising—performed either by faculty members or foreign student advisers

4. The advisory staff should exercise their duties in an ethical and professional manner. They must

- Adhere to the regulations of the U.S. government, especially those of the Immigration and Naturalization Service.
- Decline awards and unethical requests for service.

Principles for the Provision of Community Services and Programs

The presence of foreign students and scholars on campus and in the community involves cross-cultural relationships and provides opportunities for increased global awareness. Individual contacts and the sharing of a variety of social and professional activities provide the opportunity for mutual appreciation of different cultural patterns and national aspirations.

Although it may serve a wider constituency at the state or national level, the college or university is an integral part of the community in which it exists. Colleges and universities which enroll foreign students and scholars should make, in cooperation with the community, every effort to assist these students in their adjustment to life in an American community. They may also enhance the education of foreign students and scholars by offering a variety of experiences, both on campus and in the community, which will ensure that optimum benefit is derived from the period of study in the United States.

Institutions should be receptive to approaches from the community and should, if necessary, take the initiative in establishing a relationship with the community (a) to explain the needs of foreign students and scholars, (b) to identify the resources represented by foreign stu-

dents, and (c) to explore and make full use of the willingness and ability of the community to provide services and programs.

Through the office of the foreign student adviser or its equivalent, institutions should provide assistance, advice, and information as requested by the community for the development of programs and services for foreign students and scholars. These efforts should be evaluated periodically.

Community programs and services should adhere to the following principles:

1. Community groups and organizations should seek to provide programs and services that enhance the experience of the foreign students and scholars while increasing the level of international and intercultural awareness in the community.

2. Community programs and services should be developed in cooperation with the university office that provides on-campus service to foreign students and scholars. Each should be competently designed and conducted and, where possible, coordinated with other community efforts.

3. Community programs must embrace a sensitivity to, and appreciation of, the religious, cultural, and national backgrounds of foreign participants and a proper regard for confidential personal information that may be offered by foreign and American participants.

4. Community groups and organizations should provide professional training for volunteers and paid staff to ensure that programs are competently administered and community resources effectively used.

5. Community groups and organizations should periodically evaluate their programs, policies, and services in light of their established goals and the changing needs of foreign students and scholars.

Principles for U.S. Study Abroad

One of the most effective ways to increase U.S understanding of other languages and cultures and to improve our ability to function effectively in this interdependent world is to provide individuals with opportunities to study abroad. By living and studying in another country people learn to live with and appreciate different points of view and gain a more global perspective on life's challenges and opportunities.

The institution that endorses the concept of study abroad should provide some form of basic advisory services. Many opportunities exist for American students interested in studying abroad—sponsored programs of their own institution, programs sponsored cooperatively

with other institutions, and hundreds of direct opportunities which may or may not have U.S. institutional sponsorship.

Advisory Services for Study Abroad

These principles apply to the delivery of advisory services as well as to the direct administration of a study-abroad program or cosponsorship of a program with other institutions.

Within the context of its overall international educational objectives, an institution should have a clearly stated policy about its intentions and goals for facilitating study abroad.

Recognizing that programs and advising may be handled by various people on campus, there should be a central point of access to useful information about overseas opportunities. A library of essential study-abroad information materials should be maintained.

Faculty and staff members who are responsible for advising should be identified and listed in campus reference literature. These individuals should be given opportunities to develop their abilities to provide sound, knowledgeable, and objective advice about study-abroad programs. Important components of advising include the following:

- Clarifying objectives for wanting to go abroad.
- Identifying opportunities that are educationally sound and culturally beneficial.
- Determining the quality, value, and appropriateness of a particular study-abroad experience.
- Coordinating evaluation of students' educational background with admissions personnel of foreign institutions.
- Understanding the implications of a particular study-abroad experience on graduation requirements, transfer credit, and financial aid.

Returning students should be asked to provide evaluations to enable study-abroad advisers to determine the usefulness of the program for those students and possible future participants in that program, and to evaluate the usefulness of the advisory services they received before going abroad.

Cosponsoring Study-Abroad Programs Administered by Other Institutions

In order to encourage study abroad or broaden the options readily available to its students, a number of institutions have elected to join consortia or cosponsor study-abroad programs in which another institution handles program administration. A consortium or cosponsorship arrangement for study abroad should provide opportunities

that are consistent with the institution's overall academic objectives, requirements, and standards; the program should be administered in accordance with the principles for study-abroad program administration (see below); and the home campus role in the cosponsorship should be evaluated periodically by faculty, staff, and students to determine if the objectives are being met.

Administration of Study-Abroad Programs

Institutions administer study-abroad programs in order to establish direct control over the development and provision of a specific kind of overseas learning experience. Many different kinds of institutions operate programs, including U.S. colleges and universities, foreign universities and companies, and proprietary organizations. The types of programs and amounts of structure and support services vary tremendously. Despite the wide range, all should be administered according to the following principles.

1. The purposes and specific educational objectives of the program should be carefully developed and clearly stated in the program bulletin and promotional materials.

2. Accurate, honest, and complete information should be provided to prospective applicants describing the nature and scope of the program including its opportunities and limitations, how and where instruction will be given, the relationship if any to a foreign institution, grading practices, significant differences between a home-campus experience and what can be expected abroad, information about local attitudes and mores, local living conditions, and the extent of responsibility assumed by the program for housing participants.

3. Applicants should be screened to ensure that participants have the maturity, adequate language proficiency, academic background and achievement, and motivation necessary for success in the type of program and place of study.

4. The program should include an orientation, both predeparture and ongoing, which assists participants in making appropriate personal, social, and academic adjustments. Programs maintaining centers abroad should provide counseling and supervisory services at the foreign center, with special attention to the problems peculiar to the location and nature of the program.

5. The program should encourage extensive and effective use of the unique physical, human, and cultural resources of the host environment, and the academic rigor of the program should be comparable to that at the home campus. There should be clearly defined criteria and policies for judging performance and assigning credit in accordance with prevailing standards and practices at the home institution.

6. Administrative arrangements (such as housing, transportation, and finances) and support services (such as counseling and health services) made both in the United States and at the program location abroad should be managed effectively by carefully selected and qualified staff who have both appropriate academic and administrative experience necessary to perform the work.

7. Programs should be evaluated periodically by student participants, program administrators, and a faculty advisory committee to determine the extent to which objectives and purposes are being met. Changes should be made in light of the findings.

References

In preparing the NAFSA Principles for International Educational Exchange *the task force drew on a vast array of materials, many of which originated at NAFSA or at other education associations. The publications listed below were used extensively, but this list is far from exhaustive.*

Center for Applied Linguistics, *Guidelines for Selecting Language Training Programs*. Washington, DC: Center for Applied Linguistics, 1978.

Council of Graduate Schools, *The Foreign Student in American Graduate Schools*. Washington, DC: Council of Graduate Schools, 1980.

Council on International Educational Exchange, *A Guide to Institutional Self-Study and Evaluation of Educational Programs Abroad*. New York: Council on International Educational Exchange, 1965.

Middle States Association, *Study Abroad*. Philadelphia: Middle States Association, 1979.

National Association for Foreign Student Affairs, *NAFSA Policy Statement on International Education Exchange*. Washington, DC: NAFSA, 1980.

National Association for Foreign Student Affairs, *Standards and Responsibilities in International Educational Exchange*. Washington, DC: NAFSA, 1979.

National Association for Foreign Student Affairs, *Study Abroad Programs: An Evaluation Guide*. Washington, DC: NAFSA, 1979.

National Liaison Committee on Foreign Student Admissions, *Foreign Student Recruitment: Realities and Recommendations*. New York: College Entrance Examination Board, 1980.

Ohio College Association, *Code of Ethical Practice for Foreign Student Recruitment and Admissions*. Columbus: Ohio College Association, 1979.

Procedures for Handling Ethics Related Complaints, NAFSA Standing Rule XI

Section 1. Complaints

a) Reporting a Complaint

Any individual or group, whether or not a member of NAFSA, may file a complaint against a NAFSA member for an alleged violation of the code of ethics. An individual wishing to file a complaint may contact the officially designated staff member at the NAFSA central office, either by telephone or in writing. Complaints shall be treated as confidential and, until a ruling has been obtained on whether a violation has taken place, all proceedings related to the case shall be kept confidential. Anonymous complaints shall not be accepted. In the event that information is brought to the attention of the committee on ethical practice regarding a serious alleged violation of the code, the committee may itself initiate the procedures outlined below, absent a formal complaint. At the discretion of the chair of the committee, an individual or group may be appointed to serve in the role of complainant.

b) The Role of NAFSA Staff

The staff member receiving the complaint shall review the information in an unbiased fashion, assisting the complainant to clarify the nature of the violation. The staff member shall encourage the complainant to contact the alleged violator directly and/or to seek informal means of resolution. If the complaint is not withdrawn, the staff member shall send a copy of the code and a description of these procedures to the complainant, and shall request the complainant to formulate the complaint in writing, citing the specific code provision that has allegedly been violated if possible, and outlining his or her position with respect to the situation.

Staff shall report all complaints received to the chair of the committee on ethical practice. Complaints deemed to be frivolous shall be dismissed by staff in consultation with the chair.

SECTION 2. INTERPRETATION OF THE CODE BY THE COMMITTEE ON ETHICAL PRACTICE

a) Review of the Code

If the behavior outlined in a complaint reported to the chair does not relate to a specific provision of the code of ethics, the chair of the Committee on Ethical Practice shall inform the committee of the complaint in the interests of assessing the need for revision of the code.

b) Advisory Opinion

The committee shall accept and review requests for advisory opinions, i.e., general or hypothetical rulings and interpretations of the code.

In both of the above circumstances, the individual filing the complaint or making the request shall be informed of the outcome of the committee's discussion.

SECTION 3. INVESTIGATION OF A COMPLAINT BY THE COMMITTEE ON ETHICAL PRACTICE

a) Litigation

If a complaint is currently under litigation, no action shall be taken until legal proceedings have been completed.

b) Investigator

If the alleged behavior can be related to a specific provision of the code and there is a need to continue into a formal process, the chair shall appoint a member of the committee to serve as investigator. (See Section 4.)

c) Level I Investigation

(i) Within thirty days of receiving his or her assignment, the investigator shall contact the complainant on behalf of the committee. (See Sections 5 and 6.) The investigator shall again encourage informal resolution of the complaint and shall answer any questions about the formal procedures to ensue.

(ii) The investigator also shall contact the alleged violator, notifying him or her of the complaint and the code provision which has allegedly been violated. (See Sections 5 and 6.) In this contact, the investigator shall assume the innocence of the alleged violator, shall seek his or her view of the situation and shall attempt to resolve it.

(iii) The investigator shall provide the alleged violator with a copy of the code of ethics, these procedures and the written complaint. On the basis of this contact, the investigator shall obtain a decision from the committee as to whether further action is warranted.

(iv) If no further action is deemed necessary, the chair shall inform the complainant and the alleged violator that the matter has been resolved. If further action is deemed necessary, the investigation shall proceed to Level II.

d) Level II Investigation

(i) The investigator shall confidentially correspond with the alleged violator, outlining the alleged violation, further steps in the process, and the potential consequences if a violation is found to have occurred and is not redressed in a satisfactory manner. The alleged violator shall be invited to provide within thirty days information related to the alleged violation and any relevant circumstances, and/or evidence that the alleged violation has been redressed.

(ii) If the response is judged to be satisfactory by the committee, the chair shall notify the alleged violator and the complainant that the matter has been resolved. If the response is not judged to be satisfactory, the investigation shall proceed to Level III.

e) Level III Investigation

(i) The committee shall determine what further information is needed and shall attempt to obtain it. The investigator shall invite the complainant to submit further information and documentation and shall also invite the alleged violator to submit relevant information and documentation. If the alleged violator is an institution, the chair shall send to an appropriate NAFSA representative a copy of the letter sent at the beginning of level II investigation with the code and procedures for handling ethics related complaints. The chair shall also send information about the association and the rationale for selecting the designated contact person.

(ii) The chair and/or the investigator may confidentially appoint one or more local investigators to gather information for the committee's review.

(iii) At the discretion of the committee, the chair may call a hearing to permit both sides to present their positions. (See section 7.)

(iv) A majority vote of the committee or, in cases where a hearing is required, a majority vote among those members participating in the case who are present for the hearing, shall constitute the committee's judgment as to whether a violation of the code has taken place.

(v) If a decision is reached that no violation has occurred, the chair shall notify the alleged violator and the complainant that the matter has been resolved. If a violation is found to have occurred, the chair shall request in writing that the violator terminate the offending practice and rectify the situation.

(vi) The violator shall have thirty days to provide evidence that the practice has been terminated or to request reconsideration. The violator may submit additional data and/or a restatement of the case. Such requests and evidence shall be reviewed by the chair. If more than a thirty-day period is needed to correct the problem, the chair shall have the prerogative to approve an alternative timetable.

(vii) If the response is judged to be satisfactory by the committee, the chair shall notify the alleged violator, the complainant, and the CEO that the matter has been resolved. If the violator does not respond or does not cease the practice, the chair shall recommend to the committee that the violator be found in noncompliance. The committee shall determine what level of sanction should be applied. (See section 8.)

Section 4. Investigator

The investigator shall be a committee member who has served at least one year, is free from conflict of interest in the case, and whose primary professional affiliation and geographic region are not the same as those of the alleged violator and/or the focus of the alleged violation. The chair shall rotate assignments through the committee. Committee members shall have the opportunity to disqualify themselves on the basis of any bias or likelihood of perceived bias. Having accepted an assignment, the investigator shall serve for the duration of the case.

Section 5. Communication with the Complainant and the Alleged Violator

If the alleged violator is an individual member, all communication during the process which follows shall be directed solely and confidentially to the individual. If the alleged violator is a member institution, communications shall be directed to an appropriate NAFSA representative, with copies to the CEO of the institution if the investigation proceeds beyond level II.

Until a judgment is rendered by the committee, in all contact with the alleged violator, the investigator and the committee shall assume the innocence of the alleged violator, shall seek his or her view of the situation and shall attempt to find a resolution. Wherever possible and appropriate, communication with all parties involved shall be primarily educative in tone.

Communication may take place in person or by mail, telephone, electronic mail or other suitable means available to the parties involved.

Section 6. Consultation Time Frames and Procedures

In the interests of fairness to all parties involved, investigations shall proceed expeditiously. The thirty-day time frame given to the alleged violator (Section 3) shall be observed consistently by the committee as well as by the alleged violator unless circumstances related to the case make this unfair or impossible. If for any reason an investigator or the chair cannot observe this timetable, another member of the committee shall be assigned to the case.

At each stage of an investigation, the investigator shall confidentially copy all correspondence to all members of the committee. When con-

sultation and advice are needed, committee members shall respond within two weeks of receipt of the communication. Depending on the nature of the case, extensive consultation may be limited to a subset of the committee as determined by the chair and the investigator. In all cases, however, all committee members shall be kept informed and shall have the opportunity to provide an advisory opinion. Any member who has a conflict of interest or likelihood of perceived conflict of interest in a given case shall excuse him- or herself from the proceedings.

Section 7. Hearings

a) Purpose

The purpose of the hearing shall be to gather information sufficient to determine whether there has been a violation of the code of ethics. Hearings shall take place at a time and place of the committee's choosing, with a majority of committee members, the complainant and the alleged violator present.

b) Constitution of Hearing Board

The chair or a designee shall chair the hearing. All committee members present at the hearing shall sit on the hearing board. A member of the committee who has a potential conflict of interest or likelihood of perceived conflict of interest in the case shall be excused from the hearing.

c) Witnesses

Witnesses may be called by the committee, by the complainant, or by the alleged violator. Witnesses shall attend at the expense of the party requesting their presence. All witnesses' names and affiliations shall be provided to the chair in advance of the hearing. The alleged violator shall provide the chair in advance of the hearing with the names of attorneys or advisers who may attend.

d) Attorneys

A hearing is not a court room. Attorneys may not speak on behalf of the accused but may offer advice to the alleged violator in answering questions posed by the hearing board. Attorneys shall attend at the expense of the party requesting their presence.

Section 8. Sanctions

a) Reprimand

The chair shall confidentially send a letter to the violator declaring the violator to be in noncompliance with the code and demanding termination of the offending practice. The complainant shall be notified that the violator has been reprimanded.

b) Censure

The chair shall confidentially send a letter to the violator, with a confidential copy to the complainant, declaring the violator to be in noncompliance with the code and demanding termination of the offending practice. Notice of censure shall be published in the Association's newsletter after the time for appeal has expired or a valid appeal has been denied by the Executive Committee.

c) Suspension

The chair shall inform the violator of noncompliance and suspension from membership for a period of time determined by the committee. During this time the violator shall be ineligible for grants from NAFSA, barred from presenting or exhibiting at conferences and from advertising in association publications, and prohibited from purchasing mailing lists of members. Attendance at conferences, purchase of publications and consultative services shall not be precluded. At the termination of the designated period, the violator may apply for reinstatement directly to the Board of Directors. The board shall seek a recommendation from the Committee on Ethical Practice as to whether conditions for reinstatement have been met. Notice of suspension shall be published in the Association's newsletter after the time for appeal has expired or a valid appeal has been ruled upon by the Executive Committee.

Section 9. Appeals

Within sixty days of the date of the letter of notification, the violator may appeal to the NAFSA Executive Committee. The Executive Committee within 90 days of receiving a timely appeal shall review the record of the case for procedural fairness, the interpretation of the code of ethics as applied, and the appropriateness of the sanction applied. The Executive Committee shall affirm or alter the decision of the Ethics Committee. Its decision shall be final.

(This Standing Rule was adopted by the Board of Directors in October 1992.)

WANT MORE INFORMATION ABOUT ETHICS IN THE INTERNATIONAL ARENA?

Call NAFSA's central office in Washington and ask for the staff liaison to the Committee on Ethical Practice. The number is 202.462.4811.

IS YOUR INSTITUTION A MEMBER OF NAFSA?

To find out more about what NAFSA can do for your institution, contact NAFSA's Public Information Office. You may wish to request the following:

- NAFSA's Standards and Policies for International Educational Exchange
- NAFSA's publications catalog
- Annual conference information
- A membership application
- NAFSA's workshop calendar
- Information on grant opportunities
- Information on NAFSA consultations to higher-education institutions

Public Information Office
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Washington, D.C. 20009-5728 USA
Tel.: 202.462.4811; Fax: 202.667.3419
Internet: INBOX@NAFSA.ORG

THIS BOOKLET CONTAINS

Complete information on the NAFSA Ethics Program. If you and your institution are involved in international educational exchange, you need the information this booklet provides!

NAFSA'S MISSION

NAFSA: Association of International Educators promotes the exchange of students and scholars to and from the United States. The Association sets and upholds standards of good practice and provides professional education and training that strengthen institutional programs and services related to international educational exchange. NAFSA provides a forum for discussion of issues and a network for sharing information as it seeks to increase awareness of, and support for, international education in higher education, in government, and in the community.

NAFSA's members share a belief that international educational exchange advances learning and scholarship, builds respect among different peoples, and encourages constructive leadership in a global community.

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